

Prob 12A (9/06)

UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TEXAS

Report on Offender Under Supervision

Name of Offender: Enrique Alfredo Tavares aka Mask

Case Number: EP-14-CR-01236KC(2)

Name of Sentencing Judicial Officer: Kathleen Cardone, U.S. District Judge

Date of Original Sentence: June 8, 2017

Original Offense: Conspiracy to Possess with Intent to Distribute a Quantity of Heroin, 21 U.S.C. § 846 & § 841

Original Sentence: Sixty-three (63) months custody and three (3) years of supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: April 29, 2022

PREVIOUS COURT ACTION

On January 29, 2018, the Court re-sentenced Tavares and amended the judgment to include a term of imprisonment of fifty-five (55) months with credit for time served while in state custody pending transfer to federal custody and three (3) years of supervised release.

On September 18, 2023, Tavares' term of supervision was revoked due to failing to notify his probation officer of law enforcement contact within 72 hours, submitting a drug test which rendered positive results for amphetamines and cocaine, and failing to follow the rules and regulations of the Location Monitoring Program. He was sentenced to time served (27 days) followed by three (3) years of supervised release.

On February 29, 2024, Tavares' term of supervision was revoked due to failing to attend services at Aliviane, using a controlled substance to wit: cocaine, and failing to follow the instructions of his probation officer. He was sentenced to time served (44 days) followed by two (2) years of supervised release.

On April 9, 2024, a Report on Offender Under Supervision was submitted by the probation officer notifying the Court that on March 21, 2024, Tavares submitted a urine sample that yielded positive results for amphetamines. The probation officer recommended no further court action to allow Tavares the opportunity to participate in a substance abuse treatment program. On April 10, 2024, the court accepted the probation officer's recommendation, and no further court action was taken.

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NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

Violation Number 1: The defendant must participate in a substance abuse treatment program and follow the rules and regulations of that program. The program may include testing and examination during and after program completion to determine if the defendant has reverted to the use of drugs. The probation officer shall supervise the participation in the program (provider, location, modality, duration, intensity, etc.) During treatment, the defendant must abstain from the use of alcohol and any and all intoxicants. The defendant must pay the costs of such treatment if financially able.

Nature of Noncompliance: On April 12, 2024, Tavares submitted a urine sample that yielded positive results for amphetamines. On April 23, 2024, this officer confronted Tavares regarding his positive urine sample results, and he denied using amphetamines. As such, this officer requested confirmation from the laboratory. Subsequently, on May 2, 2024, the laboratory confirmed the results for amphetamines. This officer confronted Tavares regarding the laboratory confirmation results and Tavares still denied using amphetamines.

U.S. Probation Officer Action:

The probation officer admonished Tavares for the new violation and reminded him of the possible consequences of such non-compliance. To his credit, Tavares submitted a urine sample on April 25, 2024, that tested negative. As such, it is respectfully recommended that this new violation be held in abeyance and that no further action be taken at this time to allow Tavares the opportunity to continue to participate in an outpatient substance abuse treatment program to address his substance abuse issues. Accordingly, any further violations will be communicated to the Court promptly.

Respectfully submitted,



Leobardo Moreno
U.S. Probation Officer
Office (915) 585-5535
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Date: May 15, 2024

Approved by,



David C. Trejo
Supervising U.S. Probation Officer
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COURT ACTION RECOMMENDED:

- ☒ Concur with above action
- ☐ No action
- ☐ Submit a Petition for Warrant or Summons
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Other:



Kathleen Cardone, U.S. District Judge

May 20, 2024

Date